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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 JERMAINE D. DOSS,

10 Plaintiff,

11 v.

12 JANSSEN PHARMACEUTICAL, INC., and  
13 JOHNSON & JOHNSON CORPORATION,

14 Defendants.

CASE NO. C18-1314RSM

ORDER RESOLVING ORDER TO SHOW  
CAUSE AND GRANTING SERVICE BY  
U.S. MARSHAL

15 This matter is before the Court *sua sponte* after the Court ordered Plaintiff to show cause  
16 “why this matter should not be dismissed for (1) Plaintiff’s failure to serve Defendants in  
17 accordance with Federal Rule of Civil Procedure 4(m) and/or (2) Plaintiff’s failure prosecute and  
18 comply with orders of this Court.” Dkt. #31. In response, Plaintiff requests an order from this  
19 Court directing the U.S. Marshal to assist in service. Dkt. #32. In support of this request, Plaintiff  
20 indicates that he misunderstood the Federal Rules of Civil Procedure and this Court’s earlier  
21 orders and that he believed that he was entitled, because of his *in forma pauperis* status, to  
22 assistance from the U.S. Marshals. *Id.*

24 The Court is mindful that Plaintiff is pro se, has remained responsive in this matter, and  
25 has attempted to comply with this Court’s orders and the Federal Rules of Civil Procedure.  
26 Further, Plaintiff now provides the necessary information for the U.S. Marshal to effect service

1 in this matter, information that was not previously provided to the Court. *See* Dkt. #22 at 3–4  
2 (noting that Plaintiff provided no information of where U.S. Marshal was to effect service).  
3 Considering Federal Rule of Civil Procedure 4(c)(3), Plaintiff’s *in forma pauperis* status, and the  
4 remainder of the record, the Court finds it appropriate to assist Plaintiff in service of this matter.

5 Accordingly, and having reviewed Plaintiff’s response and the remainder of the record,  
6 the Court finds and ORDERS:

- 7 1. The Court’s Order to Show Cause (Dkt. #31) is RESOLVED.
- 8 2. Plaintiff’s Response to Show Cause Order and Motion for Order Directing the U.S.  
9 Marshall’s [sic] Office to Perfect Service on the Defendants (Dkt. #32) is GRANTED.  
10 3. The Clerk shall issue Summonses for Johnson & Johnson and Janssen Research and  
11 Development, LLC at the following addresses:  
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13       Johnson & Johnson                               Janssen Research and Development, LLC  
14       One Johnson & Johnson Plaza               One Johnson & Johnson Plaza  
15       New Brunswick, New Jersey 08933       New Brunswick, New Jersey 08933
- 16 4. The United States Marshal shall send the following to Defendants Johnson & Johnson  
17 and Janssen Research and Development, LLC by separate first-class mailings:  
18       a. a copy of the Amended Complaint (Dkt. #30) and a copy of this Order;  
19       b. a copy of the appropriate Summons;  
20       c. two copies of the Notice of Lawsuit and Request for Waiver of Service of  
21       Summons;  
22       d. a Waiver of Service of Summons; and  
23       e. a return envelope, postage prepaid, addressed to the Clerk’s Office.  
24 5. All costs of service shall be advanced by the United States.

1 6. Defendants shall have **thirty (30) days** within which to return the Waiver of Service  
2 of Summons. If a Defendant timely returns the signed Waiver, that Defendant shall  
3 have **sixty (60) days** after the date designated on the Notice of Lawsuit to file and  
4 serve an Answer or a motion directed to the Complaint, as permitted by Rule 12 of  
5 the Federal Rules of Civil Procedure. **If a Defendant fails to timely return the**  
6 **signed Waiver, that Defendant will be personally served with a Summons and**  
7 **Complaint and may be required to pay the full costs of such service, pursuant to**  
8 **Rule 4(d)(2).** A Defendant who has been personally served shall file an Answer or  
9 motion permitted under Rule 12 within **twenty-one (21) days** after service.  
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11 7. The Clerk shall send a copy of this Order to Plaintiff at 18329 52nd Ave West, Apt.  
12 157, Lynnwood, WA 98037.

13 Dated this 2 day of April, 2019.

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16 RICARDO S. MARTINEZ  
17 CHIEF UNITED STATES DISTRICT JUDGE  
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